

MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL
CITY OF BEE CAVE
NOVEMBER 10, 2014

STATE OF TEXAS §
COUNTY OF TRAVIS §

Present:

Bill Goodwin, Mayor Pro Tem
Michelle Bliss, Council Member
Kara King, Council Member
Marie Lowman, Council Member
Tom Matzen, Council Member

Absent:

Caroline Murphy, Mayor

City Staff:

Travis Askey, Interim City Manager
Kaylynn Holloway, City Secretary
Patty Akers, City Attorney
Gary Miller, Chief of Police
Giancarlo Patiño, City Engineer

Call to Order and Announce a Quorum is Present

With a quorum present, the regular meeting of the Bee Cave City Council was called to order by Mayor Pro Tem Goodwin at 6:07 p.m. on Monday, November 10, 2014 in the Council Chambers of the City of Bee Cave City Hall, 4000 Galleria Parkway, Bee Cave, Texas.

Pledge of Allegiance

Citizen Comments

Rich Phillips, Spicewood and owner of Hill Country Golf and Guitar, commented that he was aware of the complaints that the City received regarding the music at his business. He stated that the decibels were within range of the city's requirements but that he has hired a permanent person to do sound checks and monitor the noise. The music will only be on Thursday – Saturday from 7-10 pm and on Sundays from 1-4 pm

Alex Tinsman, 4409 Adirondack Summit Dr., commented that the music from Hill Country Golf & Guitar was so loud that she could hear it in her daughter's bedroom. She thanked Mr. Phillips for trying to remedy the problem.

Consent Agenda

- A. Consider approval of minutes of the Regular meeting conducted on October 28, 2014.
- B. Consider approval of minutes of the Special Session conducted on November 3, 2014.

MOTION: A motion was made by Council Member Bliss, seconded by Council Member Matzen, to approve the consent agenda as presented.

The vote was taken on the motion with the following result:

Voting Aye:	Mayor Pro Tem Goodwin, Council Members Bliss, King, Lowman and Matzen
Voting Nay:	None
Absent:	Mayor Murphy

The motion carried.

Discuss and consider action on the Site and NPS Plan for the Terra Colinas Phase 1 located at 15501 block of SH- 71 West, Bee Cave, TX 78738.

City Engineer Giancarlo Patino presented this item. The project lies on 41.03 acres out of the amended preliminary plat of Bella Colinas and Terra Colinas. It is subject to City of Bee Cave Code and Travis County Subdivision Regulations as amended by the Amended and Restated Development Agreement for Masonwood 71. The applicant has submitted a variance/waiver request to the City of Bee Cave Code of Ordinance Section 20.04.044 (e) (1) related to storm water quality treatment for impervious cover.

Members of the Council asked questions about the density of the project and expressed concern over the mitigation of potential drainage issues.

City Attorney Patty Akers commented that any potential drainage issues would be handled by the HOA because they could enforce more quickly.

MOTION: A motion was made by Council Member King, seconded by Council Member Matzen, to approve the site and NPS plan for Terra Colinas Phase 1 with the variance request to Section 20.04.004 (e) (1) subject to submission of an updated tree survey and mitigation plan and receipt of recorded separate instrument for the drainage easement.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem Goodwin, Council Members Bliss, King, Lowman and Matzen
Voting Nay: None
Absent: Mayor Murphy

The motion carried.

Discuss and consider action on the Site Plan amendment for the Chick-Fil-A, located at 3600 RR 620 South, Bee Cave, TX 78738.

Mr. Patino presented this item.

MOTION: A motion was made by Council Member Bliss, seconded by Council Member Matzen, to approve the site plan amendment for the Chick-Fil-A.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem Goodwin, Council Members Bliss, King, Lowman and Matzen
Voting Nay: None
Absent: Mayor Murphy

The motion carried.

Second public hearing regarding the intent of the City of Bee Cave to annex into the city limits approximately 127.982 acres of land generally located North of Bee Cave Parkway including the West Travis County Public Utility Agency Effluent Storage Pond and Wastewater Treatment Plant and a portion of the Balcones Canyon Land.

Mayor Pro Tem Goodwin called the public hearing to order at 6:51 p.m.
There being no persons wishing to give public testimony, the public hearing was closed at 6:51 p.m.

Second public hearing regarding the intent of the City of Bee Cave to annex into the city limits approximately 284.400 acres of land generally located East and West of Hamilton Pool Road and Southwest of the current city limits.

Mayor Pro Tem Goodwin called the public hearing to order at 6:56 p.m.
There being no persons wishing to give public testimony, the public hearing was closed at 6:56 p.m.

Discuss and consider action on a Development Agreement with Lamar Brown related to the annexation of the 32.7 acres of land generally located South of Highway 71 and West of Great Divide Drive near the low water crossing.

MOTION: A motion was made by Council Member Matzen, seconded by Council Member Bliss, to approve the Development Agreement with Lamar Brown.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem Goodwin, Council Members Bliss, King, Lowman and Matzen
Voting Nay: None
Absent: Mayor Murphy

The motion carried.

Second public hearing regarding the intent of the City of Bee Cave to annex into the city limits approximately 32.7 acres of land generally located South of Highway 71 and West of Great Divide Drive near the low water crossing.

This item was not considered because the owner of the land signed a development agreement.

Executive Session:

The City Council closed the Open Session at 6:57 p.m. to convene in Executive Session in the Conference Room.

At this point in the meeting, Mayor Pro Tem Goodwin publicly announced that a closed, executive session would be held and identified the section of the Open Meeting Law under which the meeting would be held.

Open Executive Session. Executive session in accordance with the Texas Government Code, Section 551.072 – Deliberation regarding Real Property; and Section 551.071 - Consultation with Attorney in which the Attorney has a duty to the City under the Texas Disciplinary Rules of Professional Conduct that clearly conflicts with the provisions of the Open Meetings Law. The Council may adjourn into the Conference Room for the executive session.

- Consultation with attorney regarding the Participation Agreement with West Travis County MUD #5 and Hays County on the creation of the West Travis County Public Utility Agency.
- Consultation with Attorney regarding proposed legislation regarding the West Travis County Public Utility Agency.
- Consultation with attorney regarding a strategic partnership in the Extra Territorial Jurisdiction.
- Discussion regarding exchange of real property for economic development.

The City Council closed the Executive Session at 8:15 p.m. and reconvened in Regular Session in the Council Chambers.

Adjournment.

A motion was made by Council Member Bliss, seconded by Council Member King, to adjourn the regular City Council meeting at 8:15 p.m.

The vote was taken on the motion with the following result:

Voting Aye: Mayor Pro Tem Goodwin, Council Members Bliss, King, Lowman and Matzen
Voting Nay: None
Absent: Mayor Murphy

The motion carried.

PASSED AND APPROVED THIS ____ DAY OF _____, 2014.

Caroline Murphy, Mayor

ATTEST:

Kaylynn Holloway, City Secretary